

ORIGINAL

DVF

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
J.S., ON BEHALF OF HIS MINOR CHILD Z.S.,

Plaintiff,

-against-

THE NEW YORK CITY DEPARTMENT OF  
EDUCATION,

Defendant.

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*Appearances:*

*For the Plaintiff:*

AARON TYK, Esq.  
1651 47th Street  
Brooklyn, NY 11204

*For the Defendant:*

MICHAEL CARDOZO  
Corporation Counsel  
By: ABIGAIL GOLDENBERG, Esq.  
Assistant Corporation Counsel  
New York City Law Department  
100 Church Street  
New York, NY 10007

**BLOCK, Senior District Judge:**

By order to show cause dated January 24, 2006, plaintiff J.S., on behalf of his minor child, Z.S., moved pursuant to the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1412 *et seq.*, for an injunction requiring defendant New York City Department of Education (the "DOE") to evaluate Z.S.'s need for special education services and draft an Individualized Education Plan ("IEP") within a time frame to be set by the

Court. A hearing on the order to show cause was held on February 17, 2006, during which the DOE stipulated to provide the relief sought in the order to show cause by March 2, 2006. Accordingly, the motion for an injunction is denied as moot.

**SO ORDERED.**

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FREDERIC BLOCK  
Senior United States District Judge

Brooklyn, New York  
March 29, 2006